

**To:** R7 Daily Digest Group[R7\_Daily\_Digest\_Group@epa.gov]  
**From:** Washburn, Ben  
**Sent:** Wed 1/7/2015 10:47:38 PM  
**Subject:** OPA Daily Digest 1/7/15

## **OPA Daily Digest for 1/7/15**

### **Congressional Inquiries:**

None

### **State Government Inquiries:**

None

### **Press Inquiries:**

**KZIM Radio (Cape Girardeau, Mo.)** – Rick Lindsay – 1/5/15: Questions about the West Lake Landfill Site in Bridgeton, Mo. Contact: Ben Washburn, 7394 (closed)

**Joplin Globe** – Allie Hinga – 1/7/15: Questions about availability of EPA Region 7's final inspection report for the Granby, Mo., wastewater treatment plant. Contact: Chris Whitley, 7394 (closed)

**Kansas Public Radio** – Bryan Thompson – 1/7/15: Assisted headquarters in answering question regarding the status of the Humboldt, Kan., power plant under the Clean Power Plan. Contact: David Bryan, 7433 (closed)

## **Environmental Stories:**

**Des Moines Register - Company with two Iowa operations agrees to penalty** - 1/6/15 - A Houston, Texas, company has agreed to pay the federal government a \$59,000 civil penalty and spend a minimum of \$180,000 to upgrade its operations, based on violations found at five facilities, including two in Iowa, the U.S. Environmental Protection Agency Region 7 said Tuesday. <http://www.desmoinesregister.com/story/money/agriculture/2015/01/06/company-iowa-operations-pays-epa-penalty-violations/21351069/>

NOTE: Paywall issues may keep you from seeing this article. Full text is included at the end of this email.

**Fremont Tribune (Neb.) - Sen. Fischer: EPA to enact costly regulations** - 1/6/15 - We all value clean, breathable air. It's an important issue that spans partisan politics. EPA has yet to show this rule—the most expensive regulation in our nation's history—meets that test, and I doubt it ever will. [http://fremonttribune.com/cass-news/opinion/epa-to-enact-costly-regulations/article\\_86774e61-d339-50ab-a11b-0a44e7befc09.html](http://fremonttribune.com/cass-news/opinion/epa-to-enact-costly-regulations/article_86774e61-d339-50ab-a11b-0a44e7befc09.html)

**Associated Press - Des Moines water nitrates problem likely to lead to lawsuit** - 1/7/15 - An official says Des Moines Water Works likely will sue three counties that manage drainage districts with high concentrations of nitrates. [http://qctimes.com/news/state-and-regional/iowa/des-moines-water-nitrates-problem-likely-to-lead-to-lawsuit/article\\_6560c3c6-426b-569e-98fb-4cc7a4ad76cb.html](http://qctimes.com/news/state-and-regional/iowa/des-moines-water-nitrates-problem-likely-to-lead-to-lawsuit/article_6560c3c6-426b-569e-98fb-4cc7a4ad76cb.html)

**Business Record (Des Moines, Iowa) - Des Moines Water Works considers suing polluters over nitrates** - 1/6/15 - The Des Moines Water Works board on Thursday is expected to consider taking legal action against an undisclosed number of upstream livestock and crop farms that contributed to record nitrate runoff. <http://www.businessrecord.com/Content/Default/-All-Latest-News/Article/Des-Moines-Water-Works-considers-suing-polluters-over-nitrates/-3/248/67062#ixzz3O97dHk8g>

**Des Moines Register - Water Works plans to sue three counties** - 1/6/15 - Des Moines Water Works is expected to pursue a lawsuit against three northwestern Iowa counties that manage drainage districts with high concentrations of nitrates. <http://www.desmoinesregister.com/story/news/2015/01/06/des-moines-water-works-nitrate-lawsuit/21365355/>

**Agirculture.com - Iowa Water Facility Plans Suit Over Ag Nitrate Runoff - 1/7/14 -** On Thursday afternoon, the board of trustees of the Des Moines Water Works will convene to determine whether or not to file a lawsuit against 3 crop- and livestock-heavy counties in northwest Iowa stemming from high nitrate levels officials allege come from ag runoff in the Raccoon River watershed, 1 of 2 primary river watersheds that feed the Des Moines, Iowa, water facility. [http://www.agirculture.com/news/policy/iowa-water-facility-pls-suit-over-ag\\_4-ar46929](http://www.agirculture.com/news/policy/iowa-water-facility-pls-suit-over-ag_4-ar46929)

**Dickinson County News (Iowa) - County board continues work on New Fashion Pork letter - 1/6/15 -** County officials on Tuesday continued work on a letter to the Iowa Department of Natural Resources regarding New Fashion Pork expansion plans north of Superior. The company wants to construct a single 328-foot-by-101-foot barn to house 4,400 head of finished market hogs. <http://www.dickinsoncountynews.com/story/2153578.html>

**St. Louis Post-Dispatch (Mo.) - White House says it will veto bill to approve oil pipeline - 1/7/14 -** The White House on Tuesday threatened to veto the first piece of legislation introduced in the Republican-controlled Senate, a bill approving the much-delayed Keystone XL oil pipeline, in what was expected to be the first of many confrontations over energy and environmental policy. [http://www.stltoday.com/news/national/govt-and-politics/white-house-says-it-will-veto-bill-to-approve-oil/article\\_ccebb920-03b8-5d6d-8471-739bb94385c1.html](http://www.stltoday.com/news/national/govt-and-politics/white-house-says-it-will-veto-bill-to-approve-oil/article_ccebb920-03b8-5d6d-8471-739bb94385c1.html)

**Lincoln Journal Star - Editorial: The strength of nonpartisanship - 1/6/15 -** Nebraska's nonpartisan tradition has produced generation after generation of lawmakers who think for themselves, gather and evaluate information on their own and make independent decisions. We hope the tradition continues. [http://journalstar.com/news/opinion/editorial/editorial-the-strength-of-nonpartisanship/article\\_16ee5ecc-b734-58f4-bb28-67410ed7e6ad.html](http://journalstar.com/news/opinion/editorial/editorial-the-strength-of-nonpartisanship/article_16ee5ecc-b734-58f4-bb28-67410ed7e6ad.html)

**Lincoln Journal Star - Keystone XL debated in Washington - 1/6/14 -** Nebraska's senior U.S. senator on Tuesday criticized the White House for threatening to veto legislation to approve construction of the Keystone XL pipeline at the same time opponents of the \$8 million project lauded the move. [http://journalstar.com/news/state-and-regional/federal-politics/keystone-xl-debated-in-washington/article\\_4aaf7a66-f5b8-573f-aa82-7f740152fbcc.html](http://journalstar.com/news/state-and-regional/federal-politics/keystone-xl-debated-in-washington/article_4aaf7a66-f5b8-573f-aa82-7f740152fbcc.html)

**Associated Press - New inspector named at Nebraska nuclear power plant - 1/6/15 -** Federal

regulators have named a new resident inspector at the Fort Calhoun nuclear power plant about 20 miles north of Omaha. The Nuclear Regulatory Commission says Brian Cummings is one of the two inspectors monitoring operations at the plant. [http://journalstar.com/news/state-and-regional/nebraska/new-inspector-named-at-nebraska-nuclear-power-plant/article\\_def93ace-00ff-5e4e-9398-333c60d7e990.html](http://journalstar.com/news/state-and-regional/nebraska/new-inspector-named-at-nebraska-nuclear-power-plant/article_def93ace-00ff-5e4e-9398-333c60d7e990.html)

**Lincoln Journal Star - Smithfield reports progress in sow housing** - 1/6/15 - Smithfield Foods, Inc. reported that its hog production subsidiary, Murphy-Brown LLC, made significant strides in 2014 in transitioning pregnant sows on its company-owned farms in the United States to group housing systems, reaching the 71.4 percent mark by the end of the year, up nearly 20 percent over 2013. [http://journalstar.com/business/local/smithfield-reports-progress-in-sow-housing/article\\_f320339a-761a-5557-a341-187af9f84356.html](http://journalstar.com/business/local/smithfield-reports-progress-in-sow-housing/article_f320339a-761a-5557-a341-187af9f84356.html)

**Cherokee Chronicle Times (Iowa)** - County landowners host oil pipeline meeting today - 1/7/14 - The initial local meeting of the Cherokee County landowners affected by the proposed Dakota Access oil pipeline will be held at the Aurelia Community Center today at 1:30 p.m. <http://www.chronicletimes.com/story/2153554.html>

**Bleeding Heartland - Why did Debi Durham sack one of Iowa's leading clean energy experts?** - 1/5/15 - Iowa is already one of the top states for wind power and could become one of the country's solar power leaders as well. Unfortunately, Governor Terry Branstad has a mixed record on promoting alternative energy. <http://www.bleedingheartland.com/diary/7316/why-did-debi-durham-sack-one-of-iowas-leading-experts-on-clean-energy>

**Call Newspapers (St. Louis) - New EPA rules could impact Oakville coal plant** - 1/7/15 - New federal regulations governing coal-fired power plants — along with newfound state enforcement of existing federal rules — could bring greater scrutiny to the future operations and eventual closure of Ameren Missouri's coal plant in Oakville. <http://www.callnewspapers.com/Articles-Impact-News-i-2015-01-07-276461.112112-New-EPA-rules-could-impact-Oakville-coal-plant.html>

**WHO Ch. 13 Des Moines - Gas Tanks At End Of 'Insurable Life'** - 1/6/15 - Fuel retailers across the state of Iowa are looking at an aging infrastructure that wasn't prepared to handle higher ethanol blends when it was installed several decades ago. <http://whotv.com/2015/01/06/gas-tanks-at-end-of-insurable-life/>

**Omaha World-Herald - Obama won't sign Keystone pipeline legislation; Nebraska court decision among factors (+video)** - 1/6/15 - Nebraska emerged yet again Tuesday in the national political showdown over the Keystone XL pipeline. A White House official said for the first time that President Barack Obama would veto legislation to approve the much--delayed Canadian oil pipeline. [http://www.omaha.com/news/nebraska/white-house-says-obama-would-veto-keystone-xl-pipeline-legislation/article\\_86ab742a-95d1-11e4-b561-c74282a6f51e.html](http://www.omaha.com/news/nebraska/white-house-says-obama-would-veto-keystone-xl-pipeline-legislation/article_86ab742a-95d1-11e4-b561-c74282a6f51e.html)

**Kansas City Star - Water policy rises to new level in 2015 Kansas politics** - 1/4/15 - On election night in November, a smiling Gov. Sam Brownback outlined a handful of top priorities for his second term: education, poverty, health care. And "I want to move forward on water," the Kansas governor said. <http://www.kansascity.com/news/government-politics/article5413443.html>

**Radio Iowa - State may be sued over water quality issues** - 1/6/15 - Iowa's largest water utility may soon file a lawsuit challenging the state's voluntary approach to dealing with farm fertilizer run-off. The Des Moines Water Works gets the water for its quarter of a million customers from the Des Moines and Raccoon Rivers and nitrate levels have been at unacceptable levels in both rivers since September. <http://www.radioiowa.com/2015/01/06/state-may-be-sued-over-water-quality-issues/>

**E&E News PM - EPA might tweak Clean Power Plan's short-term targets -- McCabe** - 1/6/15 - U.S. EPA's air chief appeared to hint today that her agency might include language in its final version of the Clean Power Plan that would soften state carbon reduction responsibilities in the short term. <http://www.eenews.net/eenewspm/stories/1060011201/>

**Greenwire - EPA delays power plant rules, will write model reg for states** - 1/7/15 - U.S. EPA will put off finalizing its greenhouse gas rules for new, modified and existing power plants until midsummer, acting EPA air chief Janet McCabe said today. The new schedule means deadlines will slip for all three regulations. <http://www.eenews.net/greenwire/2015/01/07/stories/1060011280>

**The Business Journals, Washington Bureau - EPA to impose plan to cut power plant emissions on states that balk at rule** - 1/7/15 - The Environmental Protection Agency sent a message Wednesday to states that don't want to develop plans to reduce carbon emissions at

power plants: If you don't come up with your own way to do this, we'll implement one for you.  
<http://www.bizjournals.com/bizjournals/washingtonbureau/2015/01/epa-to-impose-plan-to-cut-power-plant-emissions-on.html>

**Wall Street Journal - EPA to Issue Power-Plant Emissions Rules This Summer | Final Regulations on Carbon Emissions to Make Up Cornerstone of Obama Climate-Change Agenda** - 1/7/15 - The Environmental Protection Agency will issue a series of final regulations controlling carbon emissions from the nation's power plants this summer, according to a person familiar with the agency's plans. <http://www.wsj.com/articles/epa-to-issue-power-plant-emissions-rules-this-summer-1420650958>

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**Columbia Missourian - Opinion: Landfill Permit Was Inevitable** - 1/7/15 - A proposed coal ash landfill in Labadie emerged from a cloud of uncertainty last week when the Missouri Department of Natural Resources (MDNR) issued a construction permit for Ameren Missouri. [http://www.emissourian.com/opinion/editorials/landfill-permit-was-inevitable/article\\_f3272836-9678-11e4-9708-33e9e9a26b92.html](http://www.emissourian.com/opinion/editorials/landfill-permit-was-inevitable/article_f3272836-9678-11e4-9708-33e9e9a26b92.html)

**Lincoln Journal-Star - DEQ awards over \$2 million to recycling, litter programs** - 1/7/15 - Recycling and litter programs across the state will share in more than \$2 million in grants, which will be distributed by the Nebraska Department of Environmental Quality. [http://journalstar.com/news/local/deq-awards-over-million-to-recycling-litter-programs/article\\_85ca3771-4636-5808-b792-35ef1a6c2ed2.html](http://journalstar.com/news/local/deq-awards-over-million-to-recycling-litter-programs/article_85ca3771-4636-5808-b792-35ef1a6c2ed2.html)

**Environmental Defense Fund (blog) - Dope Deal: Wall Street Journal Falls for Methane "Facts" Cooked by Industry** - 1/6/15 - When credibility is your stock in trade, it's important to have your facts straight. On Monday, the Wall Street Journal blew it with the unsigned opinion piece dubbed "Meth Heads in the White House." <http://blogs.edf.org/energyexchange/2015/01/06/dope-deal-wall-street-journal-falls-for-methane-facts-cooked-by-industry/>

**Wall Street Journal - Opinion: Meth Heads in the White House** - 1/4/15 - In his last two years in office, President Obama seems determined to leave an environmental legacy by undermining the major reason his economic legacy will be better than it deserves to be: the

domestic fossil fuel boom. <http://www.wsj.com/articles/meth-heads-in-the-white-house-1420412043>

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**Osage County Online (Kan.) - Kansas issues revised fish consumption advisories for 2015 - 1/6/15** - The Kansas Department of Health and Environment and the Kansas Department of Wildlife, Parks and Tourism are issuing revised fish consumption advisories for 2015. <http://www.osagecountyonline.com/archives/13801>

**ClimateWire - Climate change may increase risk of blackouts - 1/6/15** - Increased storm frequency and sea-level rise is likely to raise the risk of power outages, according to a new study from Johns Hopkins University. <http://www.eenews.net/climatewire/stories/1060011135/>

**ClimateWire - Tropical forests appear to take in more CO2 as emissions rise - 1/6/15** - The world's tropical forests -- responding to carbon dioxide as the Incredible Hulk responds to anger -- might be getting bigger, greener and more powerful as the globe adjusts to rising greenhouse gas emissions. <http://www.eenews.net/climatewire/stories/1060011141/>

**Greenwire - State methane regs seen offering maps for EPA action - 1/6/15** - States that already regulate the oil and gas industry's methane emissions directly or indirectly may offer guides for U.S. EPA's own proposal for curbing the powerful greenhouse gas. <http://www.eenews.net/greenwire/stories/1060011161/>

**Greenwire - Lawmakers peg water issues as priority in 2015 - 1/6/15** - Droughts in southwest Kansas and foreboding news from California have Kansas lawmakers prioritizing water issues in 2015. <http://www.eenews.net/greenwire/stories/1060011162/>

**ClimateWire - American Petroleum Institute shares spotlight with renewables in its annual report - 1/6/15** - The most noteworthy message from the American Petroleum Institute's 2015 annual report isn't its finding that the U.S. oil industry is experiencing a "petroleum renaissance" born of a drilling boom in domestic fields such as the North Dakota's Bakken and Texas' Eagle Ford shale formations. <http://www.eenews.net/climatewire/stories/1060011225/>

**ClimateWire - Rock-star pope' intends to amplify his climate message** - 1/7/15 - So environmental activists were excited to read in The Guardian last week that Francis will add to this busy agenda by making climate change a top priority in 2015.  
<http://www.eenews.net/climatewire/stories/1060011220/>

**NRDC Switchboard - The truth behind the job numbers: Keystone XL will hurt more than help job creation** - 1/6/15 - The new Republican majorities in Congress are once again trying to force approval of the proposed Keystone XL tar sands pipeline but they aren't changing their incorrect talking points about how many jobs the risky project would create.  
[http://switchboard.nrdc.org/blogs/ddroitsch/the\\_truth\\_behind\\_the\\_job\\_numbe.html](http://switchboard.nrdc.org/blogs/ddroitsch/the_truth_behind_the_job_numbe.html)

**National Resources Defense Council (release) - Putting the National Interest First** - 1/6/15 - The White House today announced that President Obama would veto legislation designed to force approval of the Keystone XL tar sands pipeline. Danielle Droitsch, director, Canada Project at the Natural Resources Defense Council said: "The president made the right call. What's needed now is for him to kill the dirty tar sands pipeline outright."  
<http://www.nrdc.org/media/2015/150106.asp>

**Chemical & Engineering News - New Hydrogen Storage Material Can Take The Heat** - 1/6/15 - Hydrogen gas is touted as a possible clean alternative energy source. But without a way to store the gas safely, hydrogen-fuel cells won't be practical.  
<http://cen.acs.org/articles/93/web/2015/01/New-Hydrogen-Storage-Material-Take.html>

**White House Office of Science and Technology Policy (blog)** - 1/6/15 - Many of these emerging technologies—which provide tremendous benefits not only for the nation's electric system but for consumers throughout the United States—will result in an increase in the amount of data collected regarding grid operating characteristics, including customer energy use data.  
<http://www.whitehouse.gov/blog/2015/01/06/protecting-consumer-privacy-while-building-smarter-grid>

**Reuters - Is coal's decline permanent?** - 1/6/15 - Oil wasn't the only natural resource that ended 2014 with falling prices, but the question for coal is whether its problems are cyclical, or if it has become an unwanted commodity, leaving long-term prices in a slow spiral towards a

bituminous bottom. <http://blogs.reuters.com/data-dive/2015/01/06/is-coals-decline-permanent/>

**Minneapolis Star Tribune (Minn.) - BNSF must provide emergency coal delivery plans –** 1/6/15 - The railroad said it will comply with the order sought by power companies to address low stockpiles in Minnesota and other states. - 1/7/15 - Responding to utilities' complaints about coal deliveries, federal regulators have ordered BNSF Railway to submit a plan for keeping power plants in Minnesota and other states supplied this winter. <http://www.startribune.com/business/287691681.html>

**Center for Public Integrity - Groups sue EPA over petition to log toxins from gas and oil extraction** - 1/7/15 - The way environmental groups see it, there's a gaping hole in what the public knows about toxic chemicals released into communities. A wide range of factories and facilities must report to a key federal inventory, but not the companies that extract oil and gas. [http://www.philly.com/philly/news/Groups\\_sue\\_EPA\\_over\\_petition\\_to\\_log\\_toxins\\_in\\_gas\\_and\\_oil\\_extraction.h](http://www.philly.com/philly/news/Groups_sue_EPA_over_petition_to_log_toxins_in_gas_and_oil_extraction.html)

**Bloomberg - Environmental groups sue EPA for access to fracking information** - 1/7/15 - A coalition of advocacy groups sued the U.S. Environmental Protection Agency for public access to information on toxic chemicals released by the energy industry through hydraulic fracturing, or fracking, and other forms of oil and gas drilling. <http://www.kansascity.com/news/nation-world/article5549406.html>

**Nature - Environmental science: Pollution patrol** - 1/7/15 - Step aside, fitness trackers. The next wave of personal sensors is giving people the ability to monitor the air they breathe. <http://www.nature.com/news/environmental-science-pollution-patrol-1.16654>

**National Journal - The Phony Debate Over the Keystone XL Pipeline** - 1/7/15 - They're playing you for fools on both sides of the Keystone XL pipeline debate. Oil lobbyists and conservatives call it a jobs project; they're wrong. Environmental lobbyists and liberals call it a globe killer; they're wrong. <http://www.nationaljournal.com/white-house/the-phony-debate-over-the-keystone-xl-pipeline-20150107>

**Associated Press - GOP Preps Plan to Block Obama on Climate in 2015** - 1/5/15 - President Barack Obama's determined efforts to combat global warming face their biggest trial yet as Republicans take full control of Congress.

<http://www.nytimes.com/aponline/2015/01/05/us/politics/ap-us-obama-climate-republicans.html>

**The Guardian (U.K.) - Five reasons why local government should influence climate change plans** - 1/6/15 - Local authorities are closer to communities and often more innovative than national governments. Cutting them out of climate negotiations is a big mistake.  
<http://www.theguardian.com/public-leaders-network/2015/jan/06/local-government-climate-change-plans>

**BNA - EPA Cites Asthma, Fatalities, Other Concerns In Proposed New Use Rules for 13 Chemicals** - 1/6/15 - The Environmental Protection Agency will propose regulations Jan. 7 giving it oversight for new uses of or manufacturing procedures for 13 chemicals that the agency already has allowed to go into production.

[http://news.bna.com/deln/DELNWB/split\\_display.adp?fedfid=61156624&vname=denotallissues&jd=a0g0z3j7](http://news.bna.com/deln/DELNWB/split_display.adp?fedfid=61156624&vname=denotallissues&jd=a0g0z3j7)

**BNA - Clean Power Plan Includes Time, Flexibility To Address Grid Reliability, EPA Official Says** - 1/6/15 - The Environmental Protection Agency placed a significant focus on grid reliability in developing its proposed carbon dioxide standards for existing power plants, the agency's top air official said Jan. 6.

[http://news.bna.com/deln/DELNWB/split\\_display.adp?fedfid=61156634&vname=denotallissues&jd=a0g0z3j7](http://news.bna.com/deln/DELNWB/split_display.adp?fedfid=61156634&vname=denotallissues&jd=a0g0z3j7)

**Inside EPA - D.C. Circuit Poised To Hear Lawsuits Over EPA's Vehicle, Truck GHG Rules** - 1/7/15 - The U.S. Court of Appeals for the District of Columbia Circuit is poised to hear arguments next week in two cases testing whether EPA's first round of greenhouse gas (GHG) passenger vehicle and heavy-duty truck rules are legally flawed. <http://insideepa.com/daily-news/dc-circuit-poised-hear-lawsuits-over-epas-vehicle-truck-ghg-rules>

**Inside EPA - As Congress Convenes, API Steps Up Bid To Block EPA Methane Rules** - 1/6/15 - As the new, GOP-controlled Congress convenes, the head of the American Petroleum Institute (API) is stepping up his calls to block EPA from adopting new rules regulating emissions of methane. <http://insideepaclimate.com/climate-daily-news/congress-convenes-api-steps-bid-block-epa-methane-rules>

**Inside EPA - FutureGen Alliance Urges Appeals Board To Dismiss Suit Over CCS Permits** - 1/6/15 - Developers of the FutureGen carbon capture and sequestration (CCS) project are urging

EPA's Environmental Appeals Board (EAB) to dismiss landowners' suit that claims novel permits issued for the facility fail to protect drinking water. <http://insideepaclimate.com/climate-daily-news/futuregen-alliance-urges-appeals-board-dismiss-suit-over-ccs-permits>

**Inside EPA - EPA Launches Rulemaking To Craft FIP For ESPS, Delays Issuing NSPS -**  
1/7/15 - EPA is launching a rulemaking to develop a federal implementation plan (FIP) for its pending greenhouse gas (GHG) rule for existing power plants, a measure that will detail how the agency will implement the rule's requirements in states that choose not to.  
<http://insideepaclimate.com/climate-daily-news/epa-launches-rulemaking-craft-fip-esps-delays-issuing-nsps>

**Inside EPA - EPA Methane Plan May Drive Gas Sector Air Cuts Ahead Of Ozone NAAQS -**  
1/7/15 - EPA's imminent plan for reducing emissions of methane from the oil and gas sector may be a greater driver in the near-term for the sector curbing ozone-forming emissions and reducing the potent greenhouse gas (GHG) as a co-benefit than the agency's plan to tighten its ozone air standard later this year, environmentalists say. <http://insideepaclimate.com/climate-daily-news/epa-methane-plan-may-drive-gas-sector-air-cuts-ahead-ozone-naaqs>

**Inside EPA - Environmentalists Suggest Suit Over EPA's Treatment Of Biomass In ESPS -**  
1/6/15 - Environmentalists are suggesting they will sue EPA over its plan to allow states to take greenhouse gas (GHG) credit for the use of biomass under its proposed existing source performance standards (ESPS). <http://insideepa.com/daily-news/environmentalists-suggest-suit-over-epas-treatment-biomass-esps>

#### **Press Releases:**

Link to all R7 press releases: <http://go.usa.gov/Qx5>

None

#### **Fact Sheets:**

Link to all R7 fact sheets: <http://www.epa.gov/region7/factsheets>

None

**Upcoming Administrator/RA Events:**

\* New additions noted with an asterisk

**1/7/15** – American Soybean Association Leadership College, St. Louis, Mo. Contact: Karen Flournoy, 7782

**2/3/15** – Air and Waste Management Association – 23<sup>rd</sup> Annual Environmental Conference, Overland Park, Kan. Contact: Becky Weber, 7487

**2/17/14** – Agriculture Future of America's On Tap Webinar Series, Regional Office. Contact: Katie Howard, 7861

**DRA:**

None

**RA/Immediate Office**

None

**Other Events**

**AWMD**

None

**CNSL**

None

**ECO/EJ**

None

**ENSV**

None

**PLMG**

None

**RA/OPA**

None

**SUPR**

None

**WWPD**

**\*1/7/15** – American Soybean Association Leadership College, St. Louis, Mo. Contact: Karen Flournoy, 7782

**\*1/7/15** – Missouri Clean Water Commission Meeting, Jefferson City, Mo. Contacts: John DeLashmit, 7821, Bob Angelo, 7060

**\*1/13-15/15** – National EPA Water Division Directors Meeting, Atlanta, Ga. Contact: Karen Flournoy, 7782

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Des Moines Register

### **Company with two Iowa operations agrees to penalty**

By Donnelle Eller

3:16 p.m. CST January 6, 2015

A Houston, Texas, company has agreed to pay the federal government a \$59,000 civil penalty and spend a minimum of \$180,000 to upgrade its operations, based on violations found at five facilities, including two in Iowa, the U.S. Environmental Protection Agency Region 7 said Tuesday.

EPA said the agreement follows an inspection of Inhance Technologies' Mount Pleasant, Ia., facility November 2010. The inspection of Inhance, formerly Fluoro-Seal International, revealed the facility had neither implemented a risk management program nor had it filed a risk management plan with EPA, despite using anhydrous hydrogen fluoride in multiple containers that exceeded the 1,000-pound threshold.

Anhydrous hydrogen fluoride is an extremely toxic gas that causes severe burns and can be fatal upon short exposure, EPA said in a news release.

Risk management programs and plans are required by the Clean Air Act, when industries use or store certain types of hazardous or potentially hazardous chemicals beyond specified threshold amounts, the federal agency said. The programs and plans are designed to protect employees, emergency responders and surrounding communities from chemical accidents and disasters.

EPA also inspected facilities in Centerville, Ia., and Kansas City and St. Louis, Mo., and discovered similar violations.

Inspections revealed that Inhance Technologies' facilities in Mount Pleasant, Centerville, Kansas City, St. Louis — as well as a fifth facility, in West Chicago, Ill. — also failed to file emergency and hazardous chemical inventory forms with state and local emergency responders, disclosing the amounts of aluminum oxide present at the facilities, EPA said.

The Occupational Safety and Health Administration also inspected Inhance Technologies' St. Louis, Mt. Pleasant, and Centerville facilities and identified violations of occupational safety and health standards.

Inhance Technologies has chosen to maintain quantities of anhydrous hydrogen fluoride below the regulatory threshold, EPA said. In addition, the company will spend at least \$180,000 to add steps to reduce air pollution by recycling hazardous hydrogen fluoride gas at the five facilities.

“Firms that store and handle substantial quantities of these hazardous chemicals need to work with the EPA and first responders to help make sure their everyday manufacturing processes safeguard both their own employees and the communities where they do business,” said EPA Regional Administrator Karl Brooks in a statement.

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**Des Moines Register**

**Water Works plans to sue three counties**

By Timothy Meinch

8:05 p.m. CST January 6, 2015

Des Moines Water Works is expected to pursue a lawsuit against three northwestern Iowa counties that manage drainage districts with high concentrations of nitrates.

Water Works officials say the nitrates, which flow into the Raccoon River, threaten the city's water quality.

The Board of Water Works Trustees will vote Thursday to move forward with the lawsuit in what's expected to be a unanimous decision, according to chairman Graham Gillette.

"We really feel we have no choice," he said.

"This is the only way that we see that we can engage the government, especially the state of Iowa, in a serious discussion about regulating those pollutants that are dumped into our source water."

The trustees' vote would trigger a 60-day notice sent to the boards of supervisors in Sac, Buena Vista and Calhoun counties notifying them of Water Works' intention to file a lawsuit.

Sac County manages seven drainage districts, two of them in coordination with Buena Vista and Calhoun counties, that feed into the North Raccoon River, a primary water source for Des Moines, according to Bill Stowe, CEO of Des Moines Water Works.

Stowe said Water Works targeted the area because of public access to the river via the U.S. Geological Survey near Sac City. Water Works officials have taken weekly water samples there since March.

Readings showed regular high concentrations of nitrates — at times six times greater than the federal limit of 10 milligrams per liter for drinking water, Stowe said.

Nitrates occur naturally in the soil but can spike in water when manure and other fertilizers drain off lawns and farm fields and into waterways.

Untreated high levels of nitrates in drinking water have been linked to blue baby syndrome, when a baby's blood can't carry sufficient oxygen, as well as to various cancers and miscarriages.

Sac County supervisors were not available for comment Tuesday afternoon, but the county's drainage clerk said area farmers recently questioned why Water Works officials were in the area.

In early December Water Works activated its nitrate removal facility due to unseasonably high nitrate levels in the Des Moines and Raccoon rivers, Stowe said. It costs about \$4,000 a day to operate.

Water Works used the nitrate removal facility for 74 days in 2013, an effort that cost consumers about \$900,000 in treatment costs and lost revenues.

Higher concentrations of nitrates are more common in the spring, when excessive rain washes

unused fertilizer from farm fields into streams.

Stowe said the seven drainage districts in Sac County are a prime example of thousands of similar drainage scenarios across Iowa that need stricter regulation.

Gillette and Stowe said continually increasing nitrate levels could necessitate costly infrastructure improvements in the near future for Des Moines Water Works.

"We foresee a time where we can't invest enough money to clean the water," Gillette said. "If we wait till that day comes, it's too late."

Rick Robinson, environmental policy adviser for Iowa Farm Bureau, called the potential lawsuit abrasive and un-Iowan.

"This is really disappointing what Bill Stowe and their board is considering," Robinson said. "The tradition here is we work together on these issues. ... It will be more difficult to work with farmers as a result of their abrasive actions."

Robinson said he has never heard of a utility filing such a lawsuit in Iowa, and pointed to positive examples of cooperation in other parts of the state.

Stowe said he has little hope in voluntary cooperation.

"In 2013 we saw the highest (nitrate) levels we've ever seen in the Des Moines and Raccoon rivers, and this was after a nutrient reduction strategy was announced with voluntary conservation process," he said. "So it's clearly not working, in our view."

Officials with Farm Bureau said they have spoken with farmers who plan to attend the Water

Works board meeting to express their concerns.

The agenda calls for a public comment period. But the board will go into closed session to discuss litigation strategy. It could return to open session to take action on the litigation.

Robinson said the latest nitrate spike follows extraordinary weather patterns, with a wet, warm fall in 2014. He said the weather and nitrate levels mimic a similar trend seen in the winter of 2006-07.

"Filing a lawsuit is not the answer, because Mother Nature doesn't take her orders from a judge," Robinson said.

### **Water Works meeting**

WHAT: The Board of Water Works Trustees will start the meeting with a public comment period, followed by a closed session to discuss filing a lawsuit against three northwest Iowa counties. The board may reopen in public session to approve a litigation strategy.

WHEN: 3:30 p.m. Thursday

WHERE: Des Moines Water Works, 2201 George Flagg Parkway

### **Wall Street Journal**

### **Meth Heads in the White House**

Obama plans to regulate methane even as emissions plummet.

Jan. 4, 2015 5:54 p.m. ET

<http://www.wsj.com/articles/meth-heads-in-the-white-house-1420412043>

In his last two years in office, President Obama seems determined to leave an environmental legacy by undermining the major reason his economic legacy will be better than it deserves to be: the domestic fossil fuel boom. A surge of new federal regulation is headed for the oil and gas industry, starting as soon as this month with a crackdown on methane.

The Administration is targeting everything from offshore drilling to oil trains but the methane rule is likely to be among the worst. The noncrisis that it will purport to solve is already well in hand thanks to industry innovation. The Environmental Protection Agency is going ahead anyway.

Methane is a more potent greenhouse gas than carbon dioxide, though CH<sub>4</sub> is far less prevalent than CO<sub>2</sub> and has a much shorter atmospheric life. The real reason methane has become an obsession of the green lobby is that it sometimes leaks when extracting or transporting oil and especially natural gas. Thus methane can be a pretext for interfering with and raising the costs of drilling.

But this means willfully ignoring the plunge in U.S. methane. Overall emissions fell 4.7% between 1990 and 2008 and 6.3% between 2008 and 2012, the most recent year an estimate is available in the EPA's greenhouse gas inventory. Natural gas is the source of less than a third of the total, the next largest being "enteric fermentation," or livestock flatulence. Those, er, emissions rose 2.3% over 1990-2012.

Methane reduction in the drilling industry has been dramatic. Methane emissions from natural gas systems fell 14.3% from 2008-12. Since 2011 the EPA has also specifically measured methane leaks from hydraulically fractured natural gas wells. By 2013 those dove 73%, more than did any other industrial source.

These are the same years when the U.S. became the world's natural-gas leader, with production increasing by nearly fourfold since 2008. The U.S. added 600,000 miles of gas pipeline, a 30% increase, utilities substituted gas for coal on a massive scale and the economy grew. Methane emissions nonetheless fell.

In December, engineers at the University of Texas—funded in part by the Environmental Defense Fund, which is pushing federal methane regulation—published the most extensive study to date of methane emissions and fracking. The UT team found that the leakage rate as measured in the field was not only lower than the EPA's assumptions but had also fallen 10% year over year.

What explains these remarkable advances? Well, methane is not a byproduct of burning natural gas like CO<sub>2</sub>. The hydrocarbon mixture laymen call natural gas is primarily composed of methane itself, and leakages mean drillers and transporters are losing the valuable commodity they are trying to sell. The economic incentive to capture CH<sub>4</sub> has translated into rapid technological progress, and emissions are declining in every significant basin from Texas to North Dakota to Appalachia as more efficient techniques spread throughout the industry.

The EPA hasn't revealed details about its looming methane rule, but at best it will be expensive and redundant. The greens are demanding that the agency mandate CH<sub>4</sub> reductions and impose technology performance standards like pneumatic controllers, with the inevitable result of throttling back production. Cap and trade for cows would make more environmental sense.

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**Wall Street Journal**

### **EPA to Issue Power-Plant Emissions Rules This Summer**

Final Regulations on Carbon Emissions to Make Up Cornerstone of Obama Climate-Change Agenda

By AMY HARDER

Updated Jan. 7, 2015 1:46 p.m. ET

WASHINGTON—The Environmental Protection Agency will issue a trio of climate-change regulations this summer and begin writing a federal plan to impose rules on states that don't adopt their own, the agency announced Wednesday.

The EPA has had three separate rules governing carbon emissions from new, modified and existing power-plant sources on different timetables. A top EPA official said the agency will issue the final rules for all three types of power plants at the same time.

“We’re focused on the fact that these rules are a suite of rules affecting an industry and given the issues that overlap we really need to be thinking about the same time frame,” said Janet McCabe, the EPA’s acting assistant administrator for air and radiation on a conference call with reporters Wednesday.

Taken together, the regulations make up the cornerstone of President Barack Obama’s climate-change agenda. They also are a top target for congressional Republicans, who now control the Senate and have a firmer hold on the House.

The utility sector accounts for about one-third of U.S. total carbon emissions, according to the EPA. Burning coal produces more carbon dioxide than oil and natural gas, but it is also the cheapest and most plentiful source for power, providing roughly 40% of the nation’s electricity.

The move isn’t totally unexpected. Some experts in climate policy have thought the agency could move to issue all the carbon rules at the same time because doing so could limit challenges both in the courts and in Congress.

The EPA in June proposed the most significant of these three rules, mandating that existing power plants cut U.S. carbon-dioxide emissions 30% by 2030 from levels seen in 2005. The

proposal set different carbon-emission limits for each state and depends heavily on individual plans to meet those targets, which the agency is requiring states submit by June 2016.

But for those states that choose not to issue a plan at all or for those that would rather defer to the EPA's authority, the agency is planning to announce Wednesday it will develop a federal plan to cut carbon emissions. This move, also anticipated by some experts, could be controversial in states run by conservative governors critical of the federal government's regulatory power.

"We certainly hope every state will feel like it's in their best interest to develop their own plans," Ms. McCabe said. "We do have an obligation under the Clean Air Act to have a federal plan available should there be states that don't submit plans."

The EPA originally was aiming to issue the final rule for new power plants, which it proposed in September 2013, by Thursday, but it was clear the agency wasn't going to achieve that.

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